UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,002	05/01/2001	Hyung-Chul Kim	678-600 (P9393)	4813

			EXAMINER
28249	7590	01/20/2006	NGUYEN, LE V

DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
UNIONDALE, NY 11553

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>22 December 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

    b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

        Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b)☐ They raise the issue of new matter (see NOTE below);

    (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☒ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: _____.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). <u>9/5/03</u>

13. ☐ Other: _____.

Kristine Kincaid

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed 12/22/2005 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) There is no teaching in Smith and Smethers for displaying downloaded icons on a main menu.

(b) None of the prior art teaches storing the edited menu configuration with a title input by the user or displaying the menu titles.

The examiner disagrees for the following reasons:

Per (a), Smith teaches downloading icon data (col. 10, lines 21-51; col. 8, lines 60-63; col. 11, lines 14-16; col. 14, lines 5-8 and 39-40) and later displaying the icon data on a main icon menu for user selection (figs. 6 and 8-10; col. 6, lines 26-52; col. 7, lines 26-52). Moreover, Smith teaches: 1) a telephone network storing CLID information, including names, telephone numbers and icons/menu icon data associated with the telephone numbers (Smith: col. 10, lines 21-25), so that when 2) a call is transmitted to the receiver's mobile telephone (Smith: col. 10, line 39), and 3) there is no match, the CLID information with the transmitted icon/menu icon data is displayed (Smith: col. 10, lines 46-47) wherein the user is presented with an option to create an EBC using the transmitted CLID information and the associated icon/menu icon data (Smith: col. 10, lines 49-51), to form 4) a directory/main menu (col. 8, lines 60-61; additionally the Ebbs presented in the directory/menu may be downloaded from a central server, col. 11, lines 14-16), whereby 5) users may edit any field of the EBC in the directory/main menu, which included icon/menu icon data and titles, of the directory/main menu such as by selecting information icon 1211 to display a submenu comprising the EBC and its associated plurality of icons/menu icon data in full view (col. 9, line 66 through col. 10, line 3). Furthermore, the modified Smith teaches that the EBC with the menu icon data may be stored in a central location (Smith: col. 8, lines 13-15) of a database (Smith: col. 14, lines 5-8 and lines 39-40).

If by "displaying downloaded icons on a main menu" applicant meant the initial default menu to distinguish "A main menu" from other types of main menus, especially since what constitute as "main" or most important is relative and subject to users' opinion, applicant is invited to amend the claims to reflect such meaning.

Per (b), Smith teaches a method wherein each ~~of the~~ menu title entry inputted by users ~~are~~ is editable and can be stored to form   KK an address book (figs. 8(A-C) and 13(A-B) and respective portions of the specification; col. 7, lines 22-23; col. 8, lines 3-15 and 60-63; col. 14, lines 5-8 and).

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